



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

STEPHEN M. ALLEN ET AL.

CASE NO.: BB-1315

APPLICATION NO.: 09/857,522

GROUP ART UNIT: UNKNOWN

INT. FILING DATE: 15 DEC 1999

EXAMINER: UNKNOWN

FOR: PLANT CARBON CATABOLITE
REPRESSION PROTEINS

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents
Washington, DC 20231

Sir:

This is a response to the Notification of Defective Response mailed December 31, 2001, a copy of which is enclosed. Please amend the application as follows and consider the following remarks.

IN THE SEQUENCE LISTING:

Please delete the sequence listing and insert the enclosed substitute sequence listing into the application.

REMARKS

The sequence listing has been amended in response to the Notification of Defective Response. No new matter is believed to be added.

The sequence listing in computer readable form, along with the required Statement Under 37 C.F.R. 1.821(g) and 1.825(b), is filed simultaneously herewith.

Please charge any fees necessitated by this response to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company).

In view of the foregoing, allowance of the above-referenced application is earnestly solicited.

Respectfully submitted,

J. KENNETH JOUNG
Attorney For Applicants
Registration No. 41,881
Telephone: 302-992-4929
Facsimile: 302-892-1026

Dated: 12 May 2003



FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 1,300.00

Complete if Known

Application Number	09/857,522
Filing Date	I.A. Filing Date 12/15/1999
First Named Inventor	STEPHEN M. ALLEN ET. AL.
Examiner Name	UNKNOWN
Art Unit	UNKNOWN
Attorney Docket No.	BB1315

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number
Deposit
Account
Name

04-1928

E. I. du Pont de Nemours and Company

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims		Fee from below		Fee Paid	
Total Claims	<input type="text"/>	-20** =	<input type="text"/>	X	18.00	=	<input type="text"/>
Independent Claims	<input type="text"/>	- 3** =	<input type="text"/>	X	84.00	=	<input type="text"/>
Multiple Dependent	<input type="checkbox"/>	YES			280.00	=	<input type="text"/>

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	1,300.00
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 1,300.00

SUBMITTED BY

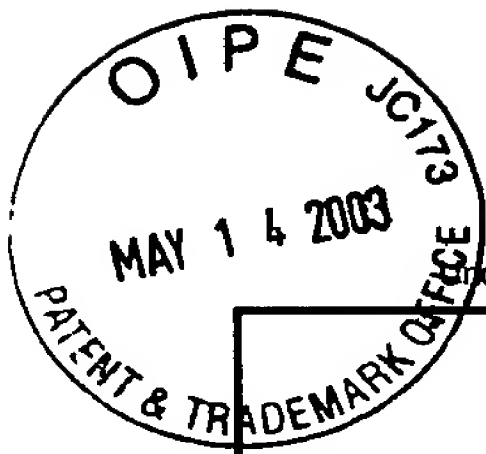
(Complete if applicable)

Name (Print/Type)	J KENNETH JOUNG	Registration No. (Attorney/Agent)	41,881	Telephone	(302) 992-4929
Signature		Date	12 May 2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

on 12 May 2003
Date

Susan L. Durkee
Signature

SUSAN L. DURKEE
Type or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

09/857,522

BB1315

Petition for Revival of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) - 2 pages

Additional Sheet Containing Statements Establishing Unintentional Delay - 1 page

Copy of Decision on Petition Under 37 CFR 1.137(a) - 3 pages

Fee Transmittal - 1 page

Response to Notification of Defective Response - 1 page

Copy of Notification of Defective Response/Raw Sequence Listing - 7 pages

Statement Under 37 CFR 1.821(g) and 1.825(b) - 1 page

Sequence Listing - CRF and paper copy (29 pages)

Return Receipt Postcard



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Ser. PCT
United States Patent and Trademark Office
Washington, D.C. 20521
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/857,522	Stephen M Allen	BB-1315

INTERNATIONAL APPLICATION NO.

PCT/US99/29824

I.A. FILING DATE	PRIORITY DATE
12/15/1999	12/16/1998

Rizzo, Thomas M.
E I Du Pont De Nemours and Company
Legal Patent Records Center
1007 Market Street
Wilmington, DE 19898

RECEIVED
FEB 19 2002

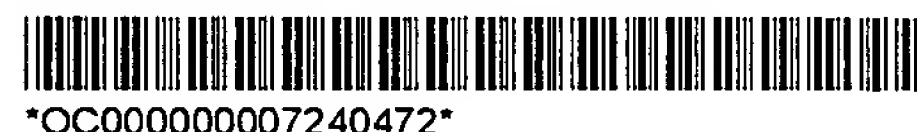
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FEB 15 2002

PATENT RECORDS
CENTER

CONFIRMATION NO. 5209

371 FORMALITIES LETTER



OC000000007240472

Date Mailed: 12/31/2001

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

DOCKETED
CR

FEB 15 2002

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
 - APPLICANT MUST PROVIDE:
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended up to a maximum of six months.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 305-3656

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/857,522	PCT/US99/29824	BB-1315